

**UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ALABAMA  
SOUTHERN DIVISION**

DEMARCUS COLEMAN,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Case No. 2:19-cv-00899-LSC-SGC
	)	
ZACKERY MCLEMORE, et al.,	)	
	)	
Defendants.	)	

**ORDER TO SHOW CAUSE**

When the *pro se* plaintiff filed the complaint in this matter, he was incarcerated in a prison, jail, or other place of detention and was therefore subject to the Prison Litigation Reform Act of 1995 (the “PLRA”). Pursuant to the provisions of the PLRA, the plaintiff was allowed to file this action without the prepayment of the full filing fee of \$350. However, the court advised the plaintiff of his obligation to pay the full filing fee through deductions from his prison or jail account and ordered him to sign a prisoner consent form in the event he wished to proceed with this action in light of that obligation. (Doc. 3). The plaintiff submitted a prisoner consent form on June 25, 2019. (Doc. 6).

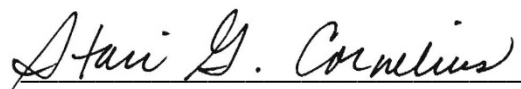
The plaintiff has now filed a notice of change of address indicating he has been released from custody. (Doc. 37). The court record shows he has not paid any amount toward the \$350.00 filing fee. The plaintiff is therefore **ORDERED** to

show cause in writing and **under oath** within thirty (30) days as to why he should not be required to pay the \$350.00 filing fee, with payment due within ninety (90) days from the date this order is entered. At a minimum, the plaintiff must complete, sign and return the attached Response to Order to Show Cause within thirty (30) days from the entry date of this order. **The plaintiff is ADVISED that failure to respond to this order within thirty (30) days may result in dismissal of this action without further notice.**

Additionally, the plaintiff's most recent filing includes an inquiry regarding the status of appointment of counsel. (Doc. 39). On October 14, 2020, the court entered an order referring this matter to the Clerk of Court for appointment of counsel pursuant to the Plan for Pro Bono Counsel for Qualified Unrepresented Parties in Civil Cases, effective November 18, 2016. (Doc. 34). The order noted the initiation of this process did not guarantee counsel would be provided. Unless and until the Clerk is able to locate counsel for the plaintiff, this matter will proceed with the plaintiff travelling *pro se*.

The Clerk is **DIRECTED** to serve a copy of this Order and the attached Response to Order to Show Cause upon the plaintiff.

**DONE** this 3rd day of March, 2021.

  
STACI G. CORNELIUS  
U.S. MAGISTRATE JUDGE

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Plaintiff,	)	
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	)	
ZACKERY MCLEMORE, et al.,	)	
	)	
Defendants.	)	

**RESPONSE TO ORDER TO SHOW CAUSE**

In response to the Court's Order to Show Cause, the plaintiff provides the following personal and financial information.

A. Plaintiff's full name: \_\_\_\_\_

Present mailing address: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Telephone (if any): \_\_\_\_\_

B. Are you presently employed? Yes \_\_\_\_ No \_\_\_\_

If the answer is "yes," give the name and address of your employer and the amount of your usual weekly salary or wages.

\_\_\_\_\_

Weekly earnings: \_\_\_\_\_

If you are not presently employed, give the name and address of your last employer, when you last worked, and the amount of the weekly salary or wages you were receiving.

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Date last worked:\_\_\_\_\_

Weekly earnings:\_\_\_\_\_

If you are not presently employed, explain to the Court how your shelter and meals are provided.\_\_\_\_\_

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C. Approximately how much money have you received in the past twelve months:\_\_\_\_\_

(1) as wages, salary, commissions, or earned income of any kind? \$\_\_\_\_\_

(2) as interest, dividends, rents, or investment income of any kind? \$\_\_\_\_\_

(3) as gifts or inheritance? \$\_\_\_\_\_

(4) from social security, unemployment compensation, or any form of state or federal welfare payments or benefits? \$\_\_\_\_\_

(5) from pensions, annuities, workmen's compensation, disability, or other

insurance policies? \$\_\_\_\_\_

(6) from all other sources? \$\_\_\_\_\_

D. How much money do you own or have in any checking or saving accounts?

\$\_\_\_\_\_

E. Do you own any real estate, stocks, bonds, notes, automobiles, boats, or other valuable property (excluding ordinary household items and clothing)?

Yes\_\_\_\_\_ No\_\_\_\_\_

If the answer is “yes,” describe the property and state its approximate value:

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F. How much money do you owe to others? \$\_\_\_\_\_

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As to each debt of over \$100.00, state the name of the creditor and the approximate amount owed: \_\_\_\_\_

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G. List the persons who are dependent upon you for support, stating your relationship to them and how much you contribute each year toward their support.

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H. Are there any other persons regularly residing in your household who are over the age of 18 and who are presently employed? Yes\_\_\_\_\_ No\_\_\_\_\_

If the answer is “yes,” provide the following information for each such person:

Name:\_\_\_\_\_

Relationship:\_\_\_\_\_

Employer:\_\_\_\_\_

Weekly earnings: \$\_\_\_\_\_

Name:\_\_\_\_\_

Relationship:\_\_\_\_\_

Employer:\_\_\_\_\_

Weekly earnings: \$\_\_\_\_\_

I. Provide any additional information that you believe supports your claim that you cannot financially afford to pay court fees, costs, or security.

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(Attach additional sheets as needed)

**I do declare (or certify, verify, or state) under penalty of perjury that the foregoing is true and correct.**

Dated \_\_\_\_\_

\_\_\_\_\_  
SIGNATURE